

AMENDMENTS TO THE DRAWINGS

Please enter Replacement Sheet 1, which consists of amended Figs. 1 and 2, as substitution for Sheet 1 of the originally filed drawings.

REMARKS

Claims 1-5 are currently pending in the application; claims 20 and 21 are canceled with this paper. Claim 1 is currently amended. Replacement Sheet 1 is submitted for consideration.

Objections to the Drawings

Replacement Sheet 1 of the Drawings is submitted and includes amendments to Figure 1 to overcome the objections enunciated by the Examiner. The Replacement Sheet also includes amendments to Figure 2 to enhance photographic reproducibility and substitute reference numerals to correspond to the original text labels. No new matter is added.

Rejection Under 35 USC § 112

Claims 20 and 21 were rejected as allegedly indefinite. While not agreeing with the propriety of the rejection, Applicants have cancelled the claims from the application in an effort to move the case to allowance. Accordingly, the rejection is moot.

Rejection Under 35 USC § 103

Claims 1-5 are rejected under 35 USC § 103 as allegedly unpatentable over Dai et al. (US Pat. No. 6,528,020) in view of Akioka et al. (US Pat. No. 6,464,940). While Applicants do not agree with the propriety of the rejection, Applicants have amended Claim 1 to further define the invention to include the structure and function of a gate electrode in relation to one or more nanotubes of the sensing device.


Neither Dai et al. nor Akioka et al. teach or suggest the nanotube sensor device of amended Claim 1.

Conclusion

For all the foregoing reasons, Applicants assert the claims are in condition for allowance. Favorable action on the merits of the claims is therefore earnestly solicited. If any issues remain, the Examiners is invited to contact Applicant's undersigned representative at (949) 760-9600. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. **50-2862**.

Respectfully submitted,
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